THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 19279 of 2006

Date:05-06-2007

Between:

Potlapalli Kommalu

.. PETITIONER

AND

The Government of A.P. rep. by its Principal Secretary, Home Dept., Hyderabad and three others.

..

RESPONDENTS

ORDER:

Petitioner submits that the police is refusing to register the crime with regard to missing of his son since 03.01.2005 and therefore, seeks a writ of mandamus to direct the respondents herein to register the crime and investigate into the case to trace out the son of the petitioner viz. P. Rajachary.

I do not see any proof of evidence in filing the police report. However, if any report is filed and if such written information is furnished to the concerned Station House Officer is not registered, it is open for the petitioner to file a private complaint against the police before the concerned Magistrate. As there is an effective remedy available to the petitioner under the provisions of the Code of Criminal Procedure for taking appropriate and necessary action to get his complaint registered, if any cognizable offence is committed by the offenders, no writ of mandamus can be issued.

Accordingly, the writ petition is dismissed. There shall be order as to costs.

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V.ESWARAIAH, J.

Date:05.06.2007
ccm